

**JUDGE SCHEINDLIN**

AO 440 (Rev. 12/09) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Southern District of New York

AMERICAN DECORATIVE FABRICS, LLC

*Plaintiff*

v.

VICTORIA CLASSICS, LTD.

*Defendant*

Civil Action No.

**10 CV 7432****SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*) VICTORIA CLASSICS, LTD.  
 2170 Route 27  
 Edison, New Jersey 08817

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Richard S. Mandel, Esq.  
 Eric J. Shimanoff, Esq.  
 COWAN, LIEBOWITZ & LATMAN, P.C.  
 1133 Avenue of the Americas  
 New York, New York 10036

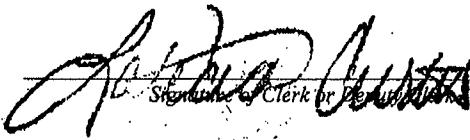
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**BY J. KRAJICK**

CLERK OF COURT

SEP 28 2010

Date: \_\_\_\_\_



Signature of Clerk of Court

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

- I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- I returned the summons unexecuted because \_\_\_\_\_; or
- Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

EPS Judicial Process Service, Inc.  
29-27 41<sup>st</sup> Avenue, Suite 812  
Long Island City, NY 11101  
Telephone: 718-472-2900  
Facsimile: 718-472-2909

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AMERICAN DECORATIVE FABRICS, LLC,

Plaintiff (s),

Index No. 10 CIV 7432  
AFFIDAVIT OF SERVICE

-against-

VICTORIA CLASSICS, LTD.,

Defendant (s).

-----X  
STATE OF NEW JERSEY )  
:s.s.:  
COUNTY OF BERGEN )

MANNY FONTES, being duly sworn deposes and says:

I am not a party to this action, am over the age of eighteen years of age,  
and reside in the State of New Jersey.

I am an agent for EPS Judicial Process Service, Inc. and received the Summons in  
a Civil Action; Complaint; Civil Cover Sheet; Rule 7.1 Corporate Disclosure Statement;  
Individual Rules and Producers Judge Shira A. Scheindlin; Individual Rules of Practices  
of Judge Kevin Nathaniel Fox and Electronic Case Filing Rules & Instructions for the  
above entitled-action to be served upon Victoria Classics, Ltd, defendants herein named.

On the 4<sup>th</sup> day of October, 2010, at approximately 10:50 a.m. at 2170 Route 27,  
Edison, New Jersey, I served true copies of the SUMMONS IN A CIVIL ACTION;  
COMPLAINT; CIVIL COVER SHEET; RULE 7.1 CORPORATE DISCLOSURE  
STATEMENT; INDIVIDUAL RULES AND PRODUCERS JUDGE SHIRA A.  
SCHEINDLIN; INDIVIDUAL RULES OF PRACTICES OF JUDGE KEVIN  
NATHANIEL FOX and ELECTRONIC CASE FILING RULES & INSTRUCTIONS, in  
the above-entitled action upon VICTORIA CLASSICS, LTD, defendants herein named,

by personally delivering to and leaving thereat true copies of the above mentioned documents with Sandra Fernandes. At the time of service, Ms. Fernandes identified herself as the Administrative Manager for Victoria Classics, Ltd and as a person authorized to accept service of process for Victoria Classics, Ltd.

Ms. Fernandes is a Hispanic female, approximately 25-30 year of age, 5'7" tall, 120 lbs, with dark hair.

Sworn to before me this,  
5<sup>th</sup> day of October, 2010

  
Manny Fontes

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NOTARY PUBLIC

